

02-0-0603

**A SUBSTITUTE ORDINANCE
BY CITY UTILITIES COMMITTEE**

AN ORDINANCE REQUESTING THAT THE GEORGIA DEPARTMENT OF TRANSPORTATION REMOVE THAT SEGMENT OF THE GLENWOOD WYLIE CONNECTOR (FROM INTERSTATE 20 SOUTH TO GLENWOOD AVENUE) FROM ITS DESIGNATION AS A STATE ROUTE, ACCEPTING THE ROAD SEGMENT AS A CITY STREET, AND FOR OTHER PURPOSES.

WHEREAS, the Glenwood Wylie Connector ("Connector"), running from Memorial Drive on the north, to Glenwood Avenue on the south, as more particularly depicted on Exhibit 1 attached, is designated as State Route 154 Spur; and

WHEREAS, the Connector is situated between two City neighborhoods, Ormewood Park neighborhood to the east and Grant Park neighborhood to the west; and

WHEREAS, Glenwood Avenue is a City street and the Connector terminates into it; and

WHEREAS, the City, as is expressed in its 2002 Comprehensive Development Plan, contemplates the redevelopment of this area from its present industrial use to a mixed use development, including residential; and

WHEREAS, in order to accomplish the redevelopment, it is desirable that the Connector be designed and utilized as a City street; and

WHEREAS, it is further desirable that the Georgia Department of Transportation remove the Connector, as depicted on Exhibit 1, as a State route, to be accepted by the City as a City street; and

WHEREAS, the City's acceptance from the Georgia Department of Transportation of the Connector as a City street is conditioned on Green Street Properties, LLC executing an Agreement with the City to rebuild both the street and the infrastructure alongside and underneath the Connector, including any water, sewer, storm water or other utility infrastructures, to City of Atlanta standards; the terms of such Agreement to be finalized pursuant to discussions between the City and Green Street Properties, Inc.;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

SECTION 1. That the City of Atlanta, through its Director of the Division of Transportation Services, requests that the Georgia Department of Transportation remove the State Route 154 Spur designation from that segment of the Connector from Interstate 20 south to Glenwood Avenue, as is shown on Exhibit 1 to this Ordinance, entitled "Glenwood Wylie Connector (S.R. 154 Connector) Jurisdictional Right-of-Way Exhibit", prepared by Long Engineering, dated March 8, 2002, so that the Connector will be changed from a State route to a City street.

SECTION 2. That the City of Atlanta agrees to accept that portion of the Connector depicted on Exhibit 1 as a City street and to operate and maintain it according to applicable legal requirements.

SECTION 3. That the City's acceptance from the Georgia Department of Transportation of the Connector as a City street is conditioned on Green Street Properties, LLC executing an Agreement with the City to rebuild both the street and the infrastructure alongside and underneath the Connector, including any water, sewer, storm water or other utility infrastructures, to City of Atlanta standards.

SECTION 4. That the Agreement between the City and Green Street Properties, LLC must contain terms and conditions satisfactory to the City, including conditions concerning any shared responsibility for the payment of any costs associated with rebuilding both the street and infrastructure alongside and underneath the Connector, and must be authorized by appropriate legislation adopted by the City's Council and approved by its Mayor.

SECTION 5. That all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed.

Exhibit 1